

AMENDMENT NO. FOUR (4)

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
COCONINO COUNTY, ARIZONA

THIS AGREEMENT, entered into 24 June 2002, Amendment Number 4 to JPA 98-199, AG Contract No.: KR98 2517TRN, filed 29 February, 1999, with the Secretary of State under No. 23003, is pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION acting by and through its TRANSPORTATION PLANNING DIVISION (the "State") and the COCONINO COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

THEREFORE, Agreement JPA 98-199, is AMENDED by the parties and agreed to herein as follows: Additional funds for fiscal year Fiscal Year (FY) 2002, in the amount of \$108,712.00 are programmed and approved for distribution to the County, to conduct roadway maintenance for roadways, within, adjacent to, or provide access to Indian Reservations.

All other terms and conditions of the original Agreement remains in full force and effect.

#04

NO. 23003
Filed with the Secretary of State
Date Filed: 06/24/02
Rebecca Bayless
Secretary of State
By Wiley J. Gruenewald

III. MISCELLANEOUS PROVISIONS

Provisions related to original Agreement remains in full force and effect.

IV. MISCELLANEOUS PROVISIONS RELATED TO THIS AMENDMENT

1. This Amendment shall become effective upon filing with the Secretary of State.
2. All notices or demands upon any party to this Amendment shall be in writing and shall be delivered in person, sent by facsimile transmission or deposited in the United States mail, postage prepaid addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 S. 17th Avenue, Mail Drop 616E
Phoenix, AZ 85007
Fax: (602) 712-7424

Coconino County
County Manager
219 E. Cherry
Flagstaff, AZ 86001
Fax: (928) 779-6687

3. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of the State of Arizona to enter into this Amendment and that the Amendment is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

COCONINO COUNTY, ARIZONA

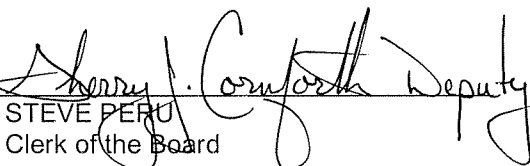
By 
ELIZABETH C. ARCHULETA, Chairman
Board of Supervisors

STATE OF ARIZONA

Department of Transportation

By 
MARY LYNN TISCHER, Director
Transportation Planning Division

ATTEST

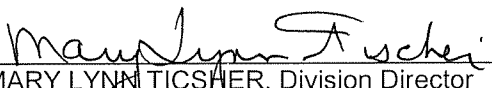
By 
STEVE PERU
Clerk of the Board

AMENDMENT NO. ~~3~~ 4

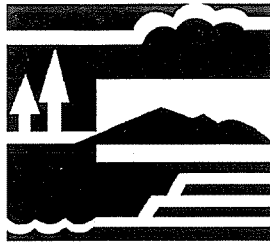
RESOLUTION

BE IT RESOLVED on this 4th day of June, 2002, that I, the undersigned VICTOR M. MENDEZ, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the STATE OF ARIZONA that the DEPARTMENT OF TRANSPORTATION, acting by and through the TRANSPORTATION PLANNING DIVISION, to enter into an agreement with the COCONINO COUNTY for the purpose of adding **additional** federal funds to this agreement to transfer through the State to the County for Indian reservation roads in the County.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Transportation Planning Division Director for approval and execution.



MARY LYNN TISCHER, Division Director
Transportation Planning Division
for VICTOR M. MENDEZ, Director

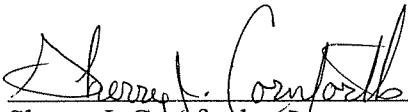


I, Sherry J. Cornforth, Deputy Clerk of the Coconino County Board of Supervisors do hereby certify that the following is a true and correct excerpt of the Regular Meeting minutes from the Tuesday May 7, 2002 Board of Supervisors meeting:

CONSENT AGENDA:

34. Approve Amendment No. 4 to the Intergovernmental Agreement between Coconino County and the Arizona Department of Transportation for receipt of additional Federal funds for maintenance for roadways that are within, adjacent to, or provides access to Indian reservations. **Public Works**

IN WITNESS WHEREOF, I have hereunto set my hand and Official Seal of the Board of Supervisors this 15th day of May, 2002.



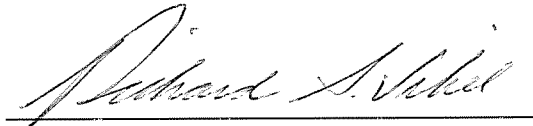
Sherry J. Cornforth
Deputy Clerk of the Board
Coconino County Board of Supervisors

JPA 98-199 - AMENDMENT 4

APPROVAL OF THE COCONINO COUNTY ATTORNEY

I have reviewed the above referenced proposed amendment to the intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and COCONINO COUNTY and declare the Amendment to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 9th day of May, 2002.


Deputy County Attorney



JANET NAPOLITANO
ATTORNEY GENERAL

STATE OF ARIZONA
OFFICE OF THE ATTORNEY GENERAL
TRANSPORTATION SECTION
1275 WEST WASHINGTON STREET, PHOENIX, AZ. 85007-2926

TRN Main: (602) 542-1680
Direct: (602) 542-8837
Fax: (602) 542-3646
MAIN PHONE : (602) 542-1680
FACSIMILE : (602) 542-3646

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2517-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED June 14, 2002.

Janet Napolitano
Attorney General

James R. Redpath
Assistant Attorney General
Transportation Section

JRR:djd:744377

Enc.